

## **REMARKS**

### **I. Introduction**

In response to the Office Action dated March 11, 2010, Applicants have amended independent claims 2, 11 and 14. Support for the amendments to claims 2, 11 and 14 may be found, for example, on page 48, line 19 to page 49, line 20 and page 50, lines 6-7 of the specification, and Fig. 1 of the drawings. No new matter has been added.

Applicants appreciate the granting of an interview on April 2, 2010 during which the Objection to the IDS filed on March 3, 2010 was discussed. During the interview, the Examiner agreed that letters submitted with the IDS stated the relevance of the cited Japanese Application Office Actions and thus the Examiner will consider the Japanese Application Office Actions cited.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

### **II. The Objection To the Information Disclosure Statement**

The Examiner has objected to the IDS filed on April 3, 2009 for failing to contain an English translation of Japanese Office Actions issued corresponding to JP 2003-024987, JP 2003-018924, JP 2003-023619, 2003-051253, and JP 2003-023620.

In response, Applicants are submitting English translations of the above-mentioned Japanese Office Actions concurrently with a Supplemental IDS.

**III. The Rejection Of Claims 2-3 and 7-36 Under 35 U.S.C. § 103**

Claims 2-3, 7-10 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee et al. (US 2003/0104273) in view of Longhi, Jr. et al. (USP No. 6,923,837); claims 11-13, 30-31, 33 and 35-36 over Lee in view of Longhi and Dudley et al. (US 2002/0197535); claims 14-19, 23 and 25-29 over Lee in view of Longhi and Lyman (USP No. 5,567,544); claims 20-22 over Lee in view of Longhi and further in view of Kawakami et al. (USP No. 6,051,340); and claims 32 and 34 over Lee in view of Longhi and Dudley and further in view of Yamashita et al. (USP No. 6,287,720). Applicants respectfully traverse these rejections of the pending claims for at least the following reasons.

Independent claims 2, 11 and 14 each recite, in-part, a first side face which has a first insulating material portion for insulating a first terminal from a second electrode, and a second side face that has a second insulating material portion for insulating a second terminal from a first electrode. The first insulating material portion is in contact with the first side face of the second electrode mixture layer, and the second insulating material portion is in contact with the second side face of the first electrode mixture layer. The first insulating material portion and the second insulating material portion include at least one selected from the group consisting of resin, glass compositions, and ceramics.

One feature of the present disclosure is that first and second side faces have insulation material portions for insulating a terminal from an electrode. The first insulating materials include resin, glass compositions, and ceramics.

In the previous Response, it was noted that nowhere in the cited prior art is there any indication of an insulating material portion such as 18a and 18b located at either side face of the device as shown in Fig. 1 of the present disclosure. As can be seen, for example, in Figs. 1-7 of

Lee, or in Figs. 7, 9 or 10 of Longhi Jr., there simply is no insulating material portion on either the first or second side faces of the electrode plate assembly.

In response to this argument, the Office Action asserted that Fig. 10 of Longhi discloses an air gap which corresponds to an insulating material portion. However, as noted above, Applicants have amended claims 2, 11 and 14 to recite that the first insulating material portion and the second insulating material portion include at least one selected from the group consisting of resin, glass compositions, and ceramics. As such, it is clear that neither Lee nor Longhi teach or suggest all of the limitations of amended independent claims 2, 11 and 14 of the present disclosure.

Moreover, claims 2, 11 and 14 each recite that at least one of the first current collector sheet and the second current collector sheet has a conductive area and an insulating area. As such, it now cannot be interpreted that neither the first nor second current collector sheets have a conductive area and an insulating area.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As is clearly shown, Lee and Longhi do not disclose a first insulating material portion and the second insulating material portion which include at least one selected from the group consisting of resin, glass compositions, and ceramics. Accordingly, Applicants submit that Lee and Longhi do not render claims 2, 11 and 14 of the present disclosure obvious and as such, claims 2, 11 and 14 are patentable and allowable over the cited prior art. Accordingly, Applicants respectfully request that the § 103(a) rejection of claims 2, 11 and 14 be withdrawn.

**IV. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable**

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplicatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 2, 11 and 14 are patentable for the reasons set forth above, it is respectfully submitted that all pending dependent claims are also in condition for allowance.

**V. Conclusion**

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication of which is respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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